ANNUAL REPORT

OF THE

QUARTER-MASTER GENERAL

TO THE

GOVERNOR OF THE STATE OF KENTUCKY,

FOR THE YEAR 1877.

PROPERTY OF THE STATE OF KENTUCKY.

FRANKFORT, KY:

PRINTED AT THE KENTUCKY YEOMAN OFFICE.

S. I. M. MAJOR, PUBLIC PRINTER.

1878.

Office. But the Receiver not having complied with the requirements of said chapter, the Legislature passed an act to repeal the same, and to reestablish the office of Receiver of Public Money for said lands, and to re-enact all laws pertaining thereto in force when the General Statutes were adopted. (See chapter 818, Acts December Session, 1875.)

There has been no Receiver appointed under the act referred to; nor has the late Receiver complied with the provisions of chapter 65 of the General Statutes. If the act referred to is not sufficient to accomplish the purpose for which it was intended, the Legislature should make such amendments thereto as are necessary to give it effect; or otherwise, it should repeal said act, and re-enact chapter 65 of the General Statutes. If it does the latter, it should be with such amendments as to allow the late Receiver a reasonable compensation for the labor which he would be required to perform under the provisions of said chapter. But, from the information I have received, an act repealing said chapter, and reestablishing said office, and re-enacting all laws pertaining thereto in force when the General Statutes were adopted, are preferable to the people west of the Tennessee river; and if this be true, the question being one affecting alone the citizens of that particular section of the State, their wishes should be consulted where the public interest is not affected thereby.

In conclusion, I desire to say that, in presenting this report I have been actuated alone by a sense of duty incumbent on me, as the custodian of the records of the office; having no more personal interest in the matter than any other citizen of the State. Hence I have no other recommendations to make, or suggestions to offer. I have made a statement of facts showing the condition of the office when I took charge of it, and a statement of what has since been done, together with a recital of what is necessary to be done; so that you may, if you think proper, present the matter to the Legislature, with such suggestions as in your judgment are necessary to protect the interest of those concerned.

I have the honor to be, Very respectfully,

Your obedient servant,

T. D. MARCUM, Register.

JOCUMONS 77/01/2

REPORT OF THE QUARTER-MASTER GENERAL.

STATE OF KENTUCKY, Quarter-Master General's Office, Franfort, December 31st, 1877.

To his Excellency, James B. McCreary, Governor of Kentucky:

SIR: I have the honor to make the following report:

From causes not necessary or expedient in this report to explain or advert to, there has been, within the last year, in many portions of the State, a strong inclination to organize military companies; and I have issued, under proper authority, to new companies, 300 breech-loading Springfield muskets. They are located at the places named below, and were armed as of the following dates, viz:

1877.			
August	9.	Capt. J. N. Stewart, Grayson, Carter county 50 guns.	
August	15.	Capt. C. Haak, Newport 60 "	
August	20.	Capt. E. C. Hawkins, Ludlow, Kenton county 50 "	
September	11.		
September	24.	Capt. A. Miller, Ashland, Boyd county 50 "	
November			
And t	he f	following to military schools, viz:	
September	24.	Geo. M. Edgar-Institute-Paris, Ky 70 "	
May 1877.	11.	Kentucky Military Institute, additional 20 "	
May	30.	St. Mary's College, Marion county 50 "	
		Total of such issues	

By reason of the disbandment of State Guard Companies, and discontinuance of the military feature in one college, there was returned and stored in the Arsenal 324 muskets, accompanied with more or less of the accourrements heretofore therewith issued; also two 6-pound brass cannon, with the accourrements and fixtures, viz;

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Also, August 25, 1876, from Capt. I. R. Moise, Preston Light Artillery, Louisville, 2 6-pound brass cannon, &c., as above.

These arms were most all returned in bad condition, which occasioned a considerable expense in cleaning and re-packing. This, I suppose, resulted more on account of improper places for storage, than negligence and carelessness on the part of those to whom they had been issued.

Under the law, there is no officer whose duty it is, or who has authority to inspect armories or arms other than those in the State Arsenal. So that, for the State Guard, there is no inspector or Inspector General. While this is the condition of the State's property thus returned, I have no information sufficient to base a report as to the condition of the arms in the hands of the old or new companies. I am informed that two, at least, of the old companies have no regular armory at all; and that the guns are dispersed through the country and used for hunting and other private purposes. The true condition, however, can only be ascertained upon inspection by a proper officer.

A number of guns and accourrements have been loaned to banks and other corporations apprehensive of raids, and are now dispersed in towns and villages. I would suggest that all these should be recovered and stored in the Arsenal, where they will be available for proper military use.

We are admonished by the turbulence and lawlessness of July, 1877, and the principle is thereby well illustrated, that, underlying all law, even in the most peaceful and law-abiding communities, there must be kept an element of force. To control this essential power, and hold it at all times strictly subservient to the civil authority, it is needful that the implements of force shall be stored in the State Arsenal, or, at most, in the hands of carefully selected, well-drilled, and disciplined military organizations.

Doc. No. 11.] QUARTER-MASTER GENERAL'S REPORT.

There is now in the State Arsenal 2,033 stand of small arms, including all the various kinds and varieties. Of these, 875 are Springfield breechloading muskets, calibre 50. They are in all respects serviceable as an approved modern arm, being the model adopted by the U. S. War Department, and issued to the States on their quotas, under the law of 1808. There are also 284 Ballard musketoons, 581 Ballard carbines, and 293 Smith & Wesson carbines; all of which are breech-loading guns, of various calibres, sizes, and patterns, patented in 1861-'2, and used by cavalry forces during the war. They are now obsolete and unserviceable, having been superseded by the improved breech-loading musket. One of the models-the Ballard musketoon-is capable of being converted into a sporting gun by some changes, and would, therefore, be easy of exchange.

In my opinion, it would be for the best interest of the State that all these musketoons and carbines be exchanged or sold, and the proceeds re-invested in the uniform breech-loading musket.

In addition to all the foregoing, there is in the city of Louisville 380 Springfield breech-loading muskets, and 78 musketoons and carbines, together with an equal amount of accourrements.

These arms were sent to that city under the following circumstances: That section of the law requiring judges of county courts to provide a safe place for storing and keeping such arms as are issued to the State Guards in their respective counties, was held, by the honorable judge of the Jefferson county court, not to apply to that county, and, upon appeal to the courts, that position was successfully maintained. This resulted in a practical disbandment of the several companies of State Guards in Louisville, and a return of their arms to the State, during the year 1876. It followed, therefore, that when the mob spirit commenced its career of destruction in the Eastern and Northern cities, Louisville was found to be not only unarmed and defenseless, but she had within her own placid bosom the elements of communism and destruction. So when the storm fell upon the city, there was sent, on the 24th July last, at the application of the Hon. Charles D. Jacob, Mayor, and to other corporations, a large supply of guns and ammunition. This timely aid by the Governor enabled the brave men of Louisville to suppress the attempted riot in its incipiency. Since that time all of said guns and accountements have been returned, except the 380 breech loaders and 78 musketoons, &c., as before stated. These have been, upon application of the Mayor, allowed to remain in Louisville for the time being, subject to the order of the Governor.

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There is in the Arsenal thirteen cannon, described in detail in the table annexed. Of these, but one is, in my opinion, fit for use—a rifle six-pounder. It has been found by experience that ordnance of this character will endure only a limited amount of service; that after a certain number of shots, the metal, from concussion and displacement of the crystalization, loses its cohesive quality, and is not only liable but very apt to explode. In my opinion, all this old artillery ought to be sold to the best advantage, and the proceeds reinvested in improved cannon. I think the State ought to have two 4-gun batteries of 12-pound Napoleons or rifled cannon, and one Gatling gun. It might, and I suppose would be proper, for a board of officers to be convened, with authority to examine and report upon the condition of the ordnance above named. From this category I would exempt two old iron guns, trophies of the Mexican war. They are entirely worthless for use; but, nevertheless, serve as memorials of Kentucky's valor on a foreign soil.

There will be found appended hereto, as part of this report, proper returns of all ordnance and ordnance stores, camp and garrison equipage, as well in the Arsenal as distributed elsewhere in the State.

THE WAR CLAIM.

The claims of Kentucky against the United States originated by reason of advancements under the act of Congress July 27, 1861, entitled "An act to indemnify the States for expenses incurred by them in defense of the United States," and is of the following text:

"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed, out of any money in the Treasury not otherwise appropriated, to pay to the Governor of any State, or to his duly authorized agents, the costs, charges, properly incurred by such State, for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States; to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the Treasury."

This concise and explicit statute would appear to cover every actual expenditure of a State in raising and supporting its troops to fight the battles and maintain the General Government, thus promising so fairly. The act was passed six days after the battle of Manassas, otherwise called Bull Run. The Confederate army was victorious on the Potomac, and its flag in plain view from the Capital.

Under the promise of that law, Kentucky went vigorously into the conflict, and enlisted and maintained her troops, at a grand total cost of three million six hunded and thirty thousand three hundred and sixtyfour dollars and thirty-seven cents (\$3,630,364 37); paid the money. out of the State Treasury by her properly appointed officers, and took duplicate receipts therefor. In presenting our claims for settlement, one of these vouchers was filed in the War Claims Division of the Third Auditor's Office, and its duplicate retained here. In addition to the voucher and accompanying abstract, there is made out in this office an explanation of each claim. These explanations are made up into books, which, when filed, are taken up and examined by accounting officers of the Treasury. Some idea may be formed of the complexity of these settlements when it is stated that our claims are made up of twenty thousand vouchers. There is prepared and furnished us at intervals, by the Treasury Department, what is called a "statement of differences," showing each item of our account that is suspended, and the reasons for its suspension. This gives an opportunity to make the necessary explanation and proof.

I cannot say the officers whose duty it is to examine and pass upon our accounts are illiberal or indisposed to allow and pay them fairly. But the settlements have been retarded, and at times stopped altogether, to all appearances permanently, by a set of so-called rules, which were prepared and adopted by Mr. Chase, then Secretary of the Treasury, cotemporaneous with the act of July 27, 1861. These rules purport to construe said act for the guidance of the accounting officers, in settling with the several States. But instead of construing, the effect has been to, in fact, repeal the act, and the States have been held to a compliance with the rules, and not the law. An instance will show how incompatible are these rules with the law. No. 2 of the series is as follows: "It is only for expenditures on account of troops, officers, or men that have been, or may be, mustered and received into the service of the United States, that reimbursements will be made. Nor will any reimbursement be made by the United States of expenses incurred in organizing, equipping, and maintaining troops for State purposes, or Home Guard, whether called out by the State or other local authority, unless such troops were called out, and such expenditures incurred at the request, or under the authority of the President or the Secretary of War."

The law is unambiguous and needed no construction. It says in plain terms, the United States will reimburse any State for maintaining its troops. The rule says it shall not be done unless such troops were actually mustered or employed in the service of the United States. Thus, a regiment or brigade was raised and organized, armed and equipped by the State, sent to the front before being mustered into the Union army, engaged in battle, nay, even in campaigns, as was often the case; men lost in battle, and by the thousand casualties incident to war; but the rule prohibits reimbursement for the costs thus expended. Geographically, Kentucky was awkwardly situated; being within the debatable territory, she was at all times subject to invasion, and her fields trampled by contending armies. Politically, so far as the State Government was concerned, she was always, and to the last extremity, for the Union, and so, without regard to technicalities, gallantly and liberally expended her blood and treasure for its preservation.

These rules were for a long time rigidly adhered to, but finally have been gradually giving way to the law, backed by the earnest demands of the several States interested. The State of Kentucky has always contended that these so-called rules were in contravention of the law, and, with other States interested, insisted on their modification or repeal. A very short time before the termination of the last Federal Administration an entire new series of rules was prepared, under the sanction of the Third Auditor, considered and approved by the Solicitor of the Treasury, and only failed of adoption by the illness of the Secretary, who had agreed to adopt them if found compatible by the Solicitor. Had it succeeded, our settlement would now have been completed, Also, in the last Congress, the Committee on War Claims prepared, with a great deal of care, a bill for the complete settlement of all State war claims arising under the act of July 27, 1861. It was unanimously reported by the committee, and would doubtless have passed but for the Presidential imbroglio which intervened, and so the bill, like many other important matters, failed. I suppose the present Congress will take it up and pass it, especially if urged upon the proper committee.

Kentucky is not the only creditor of the United States for war expenditures—there are twenty States with unliquidated demands; the State of New York alone claiming a balance of \$1,342,949 02, as shown by official report for 1877.

Our settlements have been especially retarded and hindered by an act of Congress, June 8th, 1872, appropriating one million dollars to pay off Kentucky's War Claim in full. The title of the bill provides, to reimburse Kentucky for "enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting militia forces to aid in suppressing the rebellion." But the enacting clause only provides to pay for enrolling, equipping, subsisting, and paying, thus omitting the important items of clothing, supplying, arming, and transporting. We have, therefore, been held to stand by the bill and not the title, while, at the same time, an amount amply sufficient to pay all our claims is appropriated. (U. S. Statutes at Large, 346.) As much as ninety thousand dollars, for transportation alone, has been withheld as not coming within the purview of said act. True, in special settlements, items for transportation are sometimes passed and paid out of the annual appropriations, under act of July, 1861. But such vouchers are generally suspended, with the remark, "not authorized by act of July 8, 1872."

In my last special settlement, I adopted a course different from that heretofore pursued, which I think will finally obtain all that we are entitled to recover. There was running through all the installments a class of claims for "pay of officers' servants, not soldiers," amounting, in the aggregate, to \$10,000, and suspended for affidavit of officer in each particular case. By separating and putting all in one account, making a separate book of explanations and general certificate, it was all allowed and paid. So I have prepared to rearrange the several classes of vouchers accordingly, and demand pay under the acts provided respectively July 27th, 1861, and June 8th, 1872, as the case may be.

The prosecution of this claim was confided to my hands on the 6th day of April, 1876. Since that time I have obtained three special settlements, and collected for the State the aggregate sum of fifty-two thousand five hundred and two dollars and forty-seven cents, viz:

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There is now due Kentucky, as shown by the last statement of differences, on vouchers suspended, disallowed, and unexamined, three hundred and ninety-seven thousand five hundred and seventy-six dollars and twenty-seven cents (\$397,576 27). A large part of this sum, I have reason to believe, will be recovered during your administration.

These accounts have been, during his official incumbency, ably and successfully managed by my distinguished predecessor in office, General Fayette Hewitt. There was collected by him—say from October 2d, 1867, to April 6th, 1876—for the State, one million two hundred and

fifty thousand seven hundred and fifty-eight dollars and fourteen cents (\$1,250,758 14).

I cannot, without doing injustice to my own feelings, omit to mention the untimely and lamented death of Capt. Wm. G. Lobban, Chief Clerk of this office, which occurred on the 10th day of March, 1877. Capt. Lobban was in the thirty-fourth year of his age, and had served the State with fidelity and intelligence for a period of ten years. By his accurate knowledge of the routine, and experience in making required explanations, the settlements were facilitated, and the State is indebted to his marked ability for many large sums collected. With a view to practical economy, I have not supplied Mr. Lobban's place, but have continued the work with the remaining clerk.

There is another unsettled account of Kentucky against the United States for arms, ordnance, and ordnance stores, furnished by the State to aid in suppressing the rebellion. These arms, &c., were supplied by the State through the Military Board in 1861-'2. This account has never heretofore been presented by the State for adjustment; but I have recently been, by the Board of Sinking Fund Commissioners, authorized to prepare and prosecute the same for settlement, and have already prepared and filed the account. I am informed other States have been paid like demands, and can see no reason why we shall not recover for a claim so clearly just. The amount is \$190,650, which, added to \$397,586 27 balance on the war claim proper, makes a total balance of \$588,236 27 yet due Kentucky on account of war expenditures.

This settlement of the State of Kentucky with the United States has been long and tedious-full of complications, delays, and disappointments. Nothing but perseverance and energy has enabled the State to recover a part of the large sums expended for the General Government so many years ago.

When the act of Congress July 27, 1861, was passed, the Federal Government was in imminent peril, and nothing but the prompt response of the adhering States saved it from dismemberment. And it is now quite difficult to understand why the solemnly promised reimbursement is withheld.

While in Washington, during the first session of the Forty-fourth Congress, in company with a number of persons representing their several States, we sought from Hon. B. F. Bristow, then Secretary of the Treasury, a repeal or modification of Governor Chase's rules. He admitted that they were not, in his opinion, a fair exposition of the law;

but, being a cotemporaneous construction, would not interfere with them; and recommended us to appeal to Congress for relief. Congress holds the key to this problem, and if the States interested act together, I have little doubt will take the proper action at the forthcoming session.

Lying back of all this settlement is the question of interest. I am informed the United States have already established the precedent in settlements with the States on account of expenditures in the war of 1812. The Northern States will demand it. A distinguished Senator has said he will press the question until his State has recovered interest on every dollar of her war debt. I apprehend Kentucky will not be behind the other States in pressing her just demand. Interest at six per cent. on our war claim will amount to about one million of dollars.

It will not answer for the United States to say it will take too much money out of the Treasury to pay off in full all the States who are creditors. The Third Auditor opposed the last proposed act of Congress, because he said it would, in his opinion, exhaust the Treasury of five million dollars. If the States paid out the money in good faith, upon the promise of the United States to repay, it seems that it ought in good conscience to be done, if it exhausted the Treasury of fifty millions dollars.

I have tried, in this report, to State the condition of Kentucky's accounts against the United States as clearly and concisely as possible, and have referred to other matters in connection, in order to present the case in all its phases.

I have the honor to be, Very respectfully, J. P. NUCKOLS, Ouarter-Master General.

Doc. No. 11.]

Ballard rifles, Arsenal to the Militia, Military Schools, &c. Enfield rifles, Auskets. Musketoons. Limber chest. gix-boauqet piass bjeces Cartridges Sergennis' swords. 800 G F Cartridge-boxes and belts. State 88 88 . 288 Shoulder straps. issued from 202, 29 99 Gan slings. 88 25 38 88 Waist-belts and plates, ARTILLERY, &C., 88 88 ,288 Bayonets and scabbards. Meedle guns (army size). . C. M. Hendricks, Lexington . S. G. Sharp, Lexington . W. G. Thompson, Frankfort . W. S. Miller, Lancaster Hon. C. D. Jacob, Mayor Louisville W. Grigsby, Danville . STATEMENT OF ORDNANCE, TO WHOM ISSUED. Col. J. 1876. June 24. 1877. July 24.

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QUARTER-MASTER GENERAL'S REPORT.

[Doc. No. 11.

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CANNON.

- 1 12-pounder brass cannon, damaged.
- 5 6-pounder brass cannon, damaged.
- 1 3-pounder English trophy, damaged.
- 2 6-pounder iron cannon, spiked.
- I Humphrey Marshall, damaged.
- 2 dismantled iron cannon, damaged.
- I coffee-mill iron cannon, damaged,

ARTILLERY CARRIAGES.

- 3 6-pounder caissons.
- 12 carriages.
- I carriage coffee-mill.
- I carriage English trophy.

ARTILLERY AMMUNITION.

- \$12 coffee-mill cartridges.
- 444 24-pounder canister shot,
- 49 24-pounder shrapnel. ,
- 56 24-pounder siege shells.
- 64 24-pounder blank cartridges
- 100 12-pounder percussion shells.
- 48 12-pounder spherical case shot.
- 45 12 pounder canister.
- 32 12-pounder shells.
- 16 12-pounder fuse shells.
- 1.186 6-pounder canister shot.
- 166 6-pounder percussion shells.
- 134 6-pounder fuse shells.
- 602 6-pounder spherical case shot.
- 23 6-pounder projectiles.
- 22 6-pounder solid shot.
- 144 Hotchkiss fuse shells, 12-3-67 inch.

SMALL ARMS.

- 1 Harper's Ferry musket, calibre 89.
- I flint-lock musket.
- 50 Austrian muskets, calibre 69.
- 10 necedle guns, cadet size, damaged, calibre 50.
- 1 Springfield musket, calibre 56.
- 1 Springfield musket, calibre 58.
- 1 Enfield rifle, long, calibre 58.
- 1 Enfield rifle, short, calibre 58.
- 1 Union rifle, calibre 46.
- to Mississippi rifles, calibre 56.
- 1 Minnie rifle, calibre 58.
- 875 Springfield breech-loading muskets, good, calibre 50.
- 266 Ballards, calibre 44-

INVENTORY-Continued.

- 293 Smith & Wesson, calibre 44.
- 48r Ballard carbines, calibre 46.
- 18 Ballard carbines, callbre 56.
- 2 Gallagher guns, calibre 46.
- I Joslyn rifle, calibre 56.
- 5 Sharp's carbines, calibre 56.
- 3 Burnside carbines, calibre 56.
- 1 Starr carbine, calibre 56.
- 1 North carbine, calibre 56.
- I swivel.
- 1 Blassin rifle.
- 1 John Brown pike.
- 1 Spencer rifle.

SWORDS AND SABRES.

300 artillery sabres.

144 cavalry sabres.

15 cavalry sabres.

ACCOUTREMENTS.

- 1,000 needle-gun screw-drivers.
 - 20 shell wrenches.
- 2,218 pistol holsters, old.
- 8 cavalry saddles, old.
 - 2 bridles, ald.
 - t halter, old.
 - I surcingle.
- 268 picket pins.
- 1,000 saddle straps, old.
- 550 cartridge boxes, old.
- goo bayonet scabbards, good.
- 1,400 cartridge-boxes, belts, and plates, good.
- goo gun-slings, good,
- 200 gun-slings, old.
- 50 gun-wipers, old.
- 507 cartridge-box belts and plates, good.
- 245 waist-belts, good.
- 500 cartridge-box belts, plates, &c., new.

AMMUNITION FOR SMALL ARMS.

- 84,669 Ballard musketoon cartridges, calibre 46.
- 12,475 Ballard carbine cartridges, calibre 44.
- 8,750 Union rifle cartridges, calibre 54.
- 6,000 Billinghurst cartridges, calibre 56.
- 62,700 metallic cartridges, calibre 56.
- 4,600 needle-gun cartridges, calibre 50.
- 6,000 needle-gun cartridges, "blank," calibre 50.
- 31,500 Colt's pistol cartridges, calibre 44.
- 21,500 Colt's pistol cartridges, calibre 36.

- I anvil.
- I forge.
- z drills, old.
- 2 army scales.
- 3 stoves.
- I blacksmith tongs, old.
- 4 hand-hammers, old.
- r claw.
- 2 screw-plates.
- t hack-saw.
- t sprinkler.
- 2 hatchets.
- 1 square,
- 1 handsaw.
- 3 pairs trucks,
- 1 grindstone.
- 25 quires emory cloth.
- 6 quires sand-paper.
- 1 desk.
- 2 oil cans.
- I doubletree stretcher, old.
- 3 monkey wrenches, old.
- 2 bar wrenches, old.
- 1 hand vise, old.
- 2 screw-drivers, old.
- 500 feet lumber.
- 2 bench vises.

CAMP EQUIPAGE.

- 9 wall tents, good.
- 20 tent flies, good.
- 14 sets poles, good.
- 50 tent pins,
- 4 tarpaulins.
- 15 skillets and lids.
- 2 iron pots,
- 3 oven lids.
- 3 tea kettles, old.
- 10 camp kettles, old.
- 2 stew pans, old.
- 2 axes.
- 1 pair hand-scales.
- 6 coffee-mills, old.
- 6 China cups and saucers.
- 1 sugar bowl.
- 6 China plates.

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INVENTORY-Continued.

- 190 tin plates.
- 14 coffee-pots, old.
- 30 tin pans.
- 8 tin dippers.
- 160 tin cups.
- 150 iron spoons.
- 114 case knives.
- 100 forks.
- 4 forks (meat).
- 12 water buckets.
- 2 whetstones.
- 3 spades.
- 1 shovel.
- , wash tub. '
- s grubbing hoe.
- 176 infantry blue caps.
- 168 blankets.
- 52 overcoats.
- t flag.
- 1 tenor drum.
- 6 guidons.